

EXHIBIT D

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

ESTATE OF LIKO KENNEY)
 PLAINTIFF)
))
VS.))
))
GREGORY WILLIS FLOYD;)
))
CHIEF MARK R. MONTMINY,)
IN HIS INDIVIDUAL AND)
OFFICIAL CAPACITIES;)
))
SERGEANT MARK TAYLOR,)
IN HIS INDIVIDUAL AND)
OFFICIAL CAPACITIES;)
))
CORPORAL BRUCE MCKAY,)
IN HIS OFFICIAL CAPACITY;)
))
and))
))
TOWN OF FRANCONIA)
BOARD OF SELECTMEN)
))
 DEFENDANTS)

CASE NO.: 2010-CV-00181-PB

AFFIDAVIT OF SERGEANT MARK TAYLOR

I, Mark Taylor, do hereby swear and depose:

1. My name is Mark Taylor and I have been employed as a sergeant with the Town of Franconia at all times pertinent to the incident that is the subject of this Action.
2. Chief Montminy and I were responsible for supervising Corporal Bruce McKay and for disciplining him as appropriate.
3. I was aware of various complaints concerning Corporal McKay and, specifically, of a complaint made by Brad Whipple.

4. Based upon my interactions with Corporal McKay, I never felt that he posed a heightened risk of violating citizens' constitutional rights.

5. However, whenever I was charged with investigating a complaint, I took the complaint seriously and investigated it thoroughly. See Exhibit 1.

6. In addition to complaints filed against Corporal McKay, there were many commendations from citizens during Corporal McKay's employment with the Franconia Police Department.

Dated: 11/7/11

/s/ Mark Taylor
Mark Taylor

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Signed and sworn to before me on this 7th day of November 2011, by Mark Taylor, whose identity was determined by **(check box that applies and complete blank line, if any):**

- ☒ My personal knowledge of the identity of said person **OR**
- ☐ The oath or affirmation of a credible witness, _____ (name of witness), the witness being personally known to me **OR**
- ☒ The following identification documents:
 - ☒ driver's license
 - ☐ passport
 - ☐ other

/s/ Joel N. Peabody
Notary Public
My Commission Expires: 3/10/2015